REMARKS

Claims 1-17 are now pending in this application for which applicant seeks reconsideration. Claims 4, 5, 9, 10, 14, and 15 remain withdrawn.

Amendment

Claims 1, 2, 6, 8, 11, and 13 have been amended. Specifically, independent claims 1, 6, and 11 have been amended to more clearly define the communication control. See steps S7200/S8110, S7100/S8020, S7110/S8030 for support. Claims 16 and 17 also have been added. See steps S7110/S8030 - S7120/S8040 for support.

No new matter has been introduced.

Art Rejection

Claims 1-3, 6-8, and 11-13 remain rejected under 35 U.S.C. § 103(a) as unpatentable over Ikeno (USP 7,154,617) in view of Holmstead (USPGP 2004/0024844).

The examiner attempts to elaborate why the combination would have taught stopping the downloading of resource data when it is already locally stored in a storage device. Applicant believes that this is not the issue presented to the examiner. Rather, applicant previously argued that the combination would not have taught **informing** the information processing apparatus that requested the resource data that the downloading is not possible when the resource data is already stored locally. The examiner again fails to address this issue.

Nonetheless, in the interest of expediting prosecution, independent claims 1, 6, and 11 have been further amended to more clearly define the communication feature of:

(1)   informing the one information processing apparatus from which the download start request for the resource data has received, a first response indicating that downloading of the resource data is not possible when the download start request for resource data is received and the received print job exists in the storage unit, and

(2)   informing the one information processing apparatus from which the download start request for the resource data has received, a second response indicating that downloading of the resource data is possible when the download start request for resource data is received and the received print job does not exist in the storage unit.

8

Ikeno simply fails to disclose or teach claimed features (1) and (2), namely sending a first response indicating that downloading of the resource data is not possible when the download start request for resource data is received but the received print job exists in the storage unit, and a second response indicating that downloading of the resource data is possible when the download start request for resource data is received but the received print job does not exist in the storage unit.

Specifically, Ikeno's printing apparatus merely determines whether or not print jobs remain in a print queue buffer after downloading a resource data from an information processing apparatus. If the print jobs remain in the print queue buffer, the downloaded resource data is stored in an appropriate storage area 3419 after no print job is present in the print queue buffer. In other words, Ikeda's printing apparatus does not inform the information processing apparatus of (a) a response indicating that no print job is present in the print queue buffer and the resource data can be downloaded and (b) a response indicating that print jobs remain in the print queue buffer and the resource data cannot be downloaded. Indeed, Ikeda transmits the resource data without regards to any response informed from the printing apparatus.

The examiner alleges that Ikeno's Fig. 34 and 35 depict how the download data can be accepted or canceled. Applicant disagrees. Figs. 34 and 35 merely show accepting the download data, stopping the print job acceptance, and then cancelling the stop of the print job acceptance. Applicant submits that neither Fig. 34 nor 35 discloses a printing apparatus providing any response indicating whether a print job is present or not, and whether the resource data is downloadable or not to the information processing apparatus.

Holmstead discloses a printer receiving a print job ticket 500 to determine whether a print job element 504 referenced by the ticket is stored in a local memory 302. The printer retrieves the print job element from the local memory when the print job element is stored in the local memory, while the printer downloads the print job elements from a remote site when the print job element is not stored in the local memory. Holmstead also fails to disclose or teach that its printer informs the remote site of any response when the print job element is downloaded from the remote site, and another response when the print job element is retrieved from the local memory. In this respect, Holmstead would not have alleviated Ikeno's shortcomings even if the combination were deemed proper for argument's sake.

Conclusion

Applicant submits that claims 1-3, 6-8, and 11-13 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

25 AUGUST 2010
DATE

/Lyle Kimms/
LYLE KIMMS, REG. NO. 34,079

20609 GORDON PARK SQUARE, SUITE 150
ASHBURN, VA 20147
703-726-6020 (PHONE)
703-726-6024 (FAX)